

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

ROBERT PHIFER, JR.,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:19cv166-MHT
)	(WO)
HYUNDAI POWER TRANSFORMERS)	
USA and LUTHER SCULL,)	
)	
Defendants.)	

JUDGMENT

In accordance with the opinion entered today, it is the ORDER, JUDGMENT, and DECREE of the court as follows:

(1) Defendant Hyundai Power Transformers' partial motion to dismiss (doc. 48) is granted to the extent that plaintiff Robert Phifer, Jr.'s failure-to-promote claim under Title VII and § 1981 is dismissed. In all other respects, the motion is denied.

(2) Defendant Luther Scull's motion to dismiss (doc. 53) is granted. Defendant Scull is dismissed and terminated as a party.

(3) This suit proceeds against defendant Hyundai on

plaintiff Phiher's remaining claims of racial discrimination, hostile work environment, and retaliation under Title VII and § 1981) as well as his claims of FMLA interference and retaliation.

DONE, this the 2nd day of March, 2021.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE